
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 201

The Antisocial Behaviour Notices (Houses Used for Holiday Purposes) (Scotland) Order 2011

Amendment of the Antisocial Behaviour etc. (Scotland) Act 2004

3. In section 68 (antisocial behaviour notices)—

(a) after subsection (1) insert—

“(1A) A local authority may also serve an antisocial behaviour notice on the landlord of a relevant house situated within the authority’s area and used for holiday purposes where—

- (a) the house has been used for those purposes on at least two occasions;
- (b) during at least two of those occasions a person mentioned in subsection (2) has engaged in antisocial behaviour at, or in the locality of, that house; and
- (c) the authority anticipates further use for those purposes that will result in antisocial behaviour by such a person.”;

(b) in subsection (2)(a) after “subsection (1)” insert “or, as the case may be, (1A)”;

(c) in subsection (3)—

(i) before paragraph (a) insert—

“(za) stating whether it is served under subsection (1) or subsection (1A);”;

(ii) at the start of paragraph (a) insert “where the notice is served under subsection (1),”;

(iii) after paragraph (a) insert—

“(aa) where the notice is served under subsection (1A), describing the antisocial behaviour that has been engaged in at, or in the locality of, the relevant house to which the notice relates;”;

**(iv) at the start of paragraph (b) insert “where the notice is served under subsection (1),”;
and**

(v) after paragraph (b) insert—

“(ba) where the notice is served under subsection (1A), requiring the landlord of the relevant house to take, before the expiry of such period as may be specified in the notice, such action for the purpose of dealing with future antisocial behaviour as may be so specified;”;

(d) in subsection (5)(a), after “subsection (1)” insert “or (1A)”.